

Serial No. 10/813,948

**Amendments to the Drawings:**

The attached sheet of drawings includes changes to Fig. 4e. This sheet, which includes Fig. 4e, replaces the original sheet including Fig. 4e. In Figure 4e, previously omitted element 52 has been added.

Attachment: Replacement Sheet  
Annotated Sheet Showing Changes

**REMARKS**

Claims 1-23 are pending in the present application. Reconsideration of the claims is respectfully requested.

In the specification, the noted trademarks have been capitalized and accompanied with the generic terminology.

The specification has been amended to address the informalities cited by the Examiner. Change "(code 49)" to "(Service Code 49)". Change "MPT packet 34" to "MPT packet 34 (figure 5)" and "(step 110)" to "(step 110, figure 3b)". Delete "(step 106)"

The drawings have been corrected to provide label "52" in Fig. 4e.

Claims 1-2, 5, 9-10 and 18 were rejected under 35 USC 102(b) as being anticipated by Wagner et al. in US Patent 7,207,056. Claims 3-4, 6-8, 12-17 and 19-23 were rejected under 35 USC 103(a) as being over Wagner et al. in view of Grzeckowski (US Pat Pub No. 2004/0047599). Claim 11 was rejected in further view of Kandasamy (US Pat Pub 2004/0187164). Independent claims 1,12,14,18,22 and 23 have been amended to include sending of a positive verification response that affirms receipt and execution of the remote record request or a negative verification response that rejects the remote record request and prompts the subscriber to override any conflicts that gave rise to the rejection.

In rejecting the claims directed to "sending a verification response to the subscriber", namely original claims 3, 4, 6-8,12,13,14,16,17,20,21 and 23 the Examiner cites Grzeckowski paragraph 18, which states "a command may be sent from the remote device 10 to the digital television terminal 100. Once the command is received by the digital television terminal 100, a reply may then be sent from the digital television terminal 100 to the remove device 10 acknowledging receipt of the command. The command may comprise one of a record program command, a program reminder command, a parent control command, or other configuration and control commands for the digital television terminal." The Examiner also cites Wagner's "conflict resolution attribute" that can be used to determine how to handle a conflict between the task current being scheduled any previously existing tasks (col. 7, lines 47-52).

Grzeckowski's "reply" is an "acknowledgement of receipt" of the command much like an email read receipt, nothing more. Grzeckowski states that "once the command is received by the digital television terminal" the reply may be sent. Grzeckowski provides no suggestion that the contents of the command be examined and the command validate prior to sending the reply. Furthermore, Grzeckowski provides no suggestion of including any information in the

reply specifying whether the command was or was not executed. Although the “command” may comprise a record, reminder, parental control or other commands there is no indication that the “reply” is anything more than a mere acknowledgement. Finally, Grzeckowski’s reply and the overall system does not suggest or enable prompting further action by the subscriber to override any conflicts in a previous request.

Wagner’s “conflict resolution attribute” is provided by the website along with other task and attribute information as part of notification 214A to the task service. As stated at col. 7, lines 35-35, “The attributes can be set to default values or can have no effect unless indicated by the user”. Although unclear, the user may be able to set the value of the attribute to a default value or possibly set the value of the attribute at the time of initial task selection. There is no suggestion or motivation for providing the capability to modify the attributes after the initial selection nor is there any disclosure of a system that would support such capability.

One of ordinary skill in the art if presented with the teachings of Wagner and Grzeckowski at the time of Applicant’s invention might add Grzeckowk’s “reply” feature to Wagner’s underlying system in order to provide an acknowledgement of receipt but no more. Wagner teaches away from Applicant’s method of providing a positive or negative verification and prompting the subscriber to override any actual conflicts by providing a “conflict resolution attribute” that resolves any such conflicts based on a priori default or user settings. In light of Wagner’s approach to handling conflicts there is simply no motivation to modify Wagner’s system. Furthermore, Grzeckowski’s “reply” does not constitute a positive or negative verification that prompts the subscriber to resolve conflicts by sending a subsequent override message. Applicant respectfully submits that the rejection of claims 1, 12, 14, 18, 22 and 23 as amended and all dependent claims are traversed and requests a notice of allowance be issued.

Claims 5-8 as dependent from claim 1 are specifically directed at validating portions of the remote record request at both the broadcast center and the subscriber site. In particular in claim 6 (and claims 14 and 21), the broadcast center sends a negative verification response to the “prompting the subscriber to sign up for the required service package.” First, Wagner does not teach sending a negative verification response to subscriber if the task is not validated at the task service under any circumstances. Second, Wagner specifically teaches away from prompting the subscriber to sign up for the require service package. At col. 9, line 66, “if the subscription plan of the user does not include remotely scheduled tasks, then the task detector 106 is effectively disabled.” Third, Grzeckowski’s “reply” only originates from the subscriber

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cite not the broadcast center. Applicant respectfully submits that the rejection of claims 5, 14 and 21 as amended are traversed and requests a notice of allowance be issued.

**Conclusion**

It is respectfully urged that the subject application is patentable over the cited references and is now in condition for allowance.

The Examiner is invited to call the undersigned at the below listed telephone number if, in the opinion of the Examiner, such a telephone conference would expedite or aid the prosecution and examination of this application.

Should any fees be associated with this submission, please charge Deposit Account 50-0383.

Respectfully submitted,  
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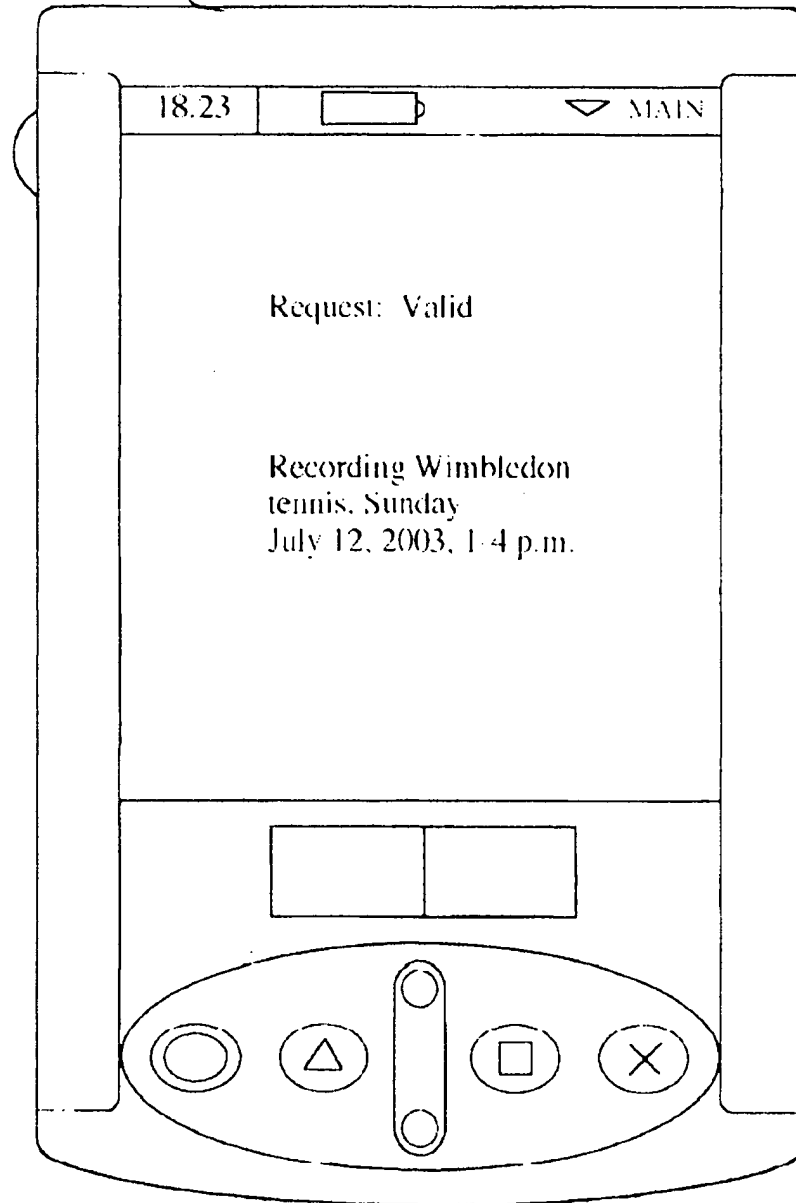


Fig. 4e